IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 19936 OF 2005

Date: 19.09.2005

BETWEEN:

V. Gopala Krishna Murthy

.... PETITIONER

Vs.

1. Government of Andhra Pradesh, rep. by its Secretary, Revenue Department, Secretariat Buildings, Hyderabad, and others.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO. 19362 OF 2005

ORDER:

The petitioner is a resident of Arandalpet, Vijayawada. He claims to be a freedom fighter and political sufferer. When he approached the first respondent for allotment of land for construction of a house as well as for agriculture, it appears the first respondent directed the third respondent to include the name of the petitioner in the list of political sufferers. Accordingly, the petitioner's name was included in the list of political sufferers at Sl.No.278. As per the relevant Government Orders in force at relevant time, the petitioner is entitled to assignment of Government land to an extent of Acs.5.00 of wet or Acs.10.00 of dry land and for house-site admeasuring 500 Sq. yards. The petitioner, therefore, made an application to respondents 2 and 3 on 25.5.2001 for assignment of land at Madduru village of Kankipadu Mandal. The petitioner also made several representations on 26.11.2003, 5.3.2004, 26.6.2004 and 9.8.2004. He states that when he approached the Honourable Chief Minister of the State, he directed the second respondent to investigate into the matter and to submit a report. Accordingly, the Mandal Revenue Officer (MRO) submitted a report

to the second respondent. It appears, the land admeasuring to an extent of Acs.6.50 was earmarked for being assigned to the petitioner. However, the same was subsequently assigned to the landless poor persons. Thereafter, the petitioner submitted another application on 2.7.2005 for expeditious action, in vain. Therefore, the present writ petition is filed.

After hearing the matter, on 1.9.2005 this Court directed the leaned Assistant Government Pleader for Revenue (General) to get instructions. The learned Assistant Government Pleader has placed before this Court a letter addressed by the second respondent to the third respondent to find suitable vacant site in RS.No.278 of Vijayawada town for being allotted to the petitioner for house-site. It appears, the District Collector also instructed the MRO to dispose of the representation of the petitioner, dated 2.7.2005 expeditiously.

The learned counsel for the petitioner, Sri V.S.R. Anjaneyulu placed strong reliance on the orders of the Government in G.O.Ms.No.185, dated 11.3.1997. In the said Government Order while reiterating the policy of the Government adumbrated in G.O.Ms.No.1745, dated 20.8.1959 wherein the Government directed assignment of land to freedom fighters and political sufferers, and further ordered to allot house-sites to the freedom fighters in an extent of 300 Sq. yards.

After reading the said Government Order, this Court feels that it is unfortunate that though the Government has also decided to allot land to the freedom fighters/political sufferers for the purpose of agriculture as well as house-sites, nothing was done in the case of the petitioner. At least now the second respondent should consider the request of the petitioner and allot house-site in RS.No.278 (if vacant land is available) in Vijayawada town and also explore the possibilities of assigning agricultural land as per the petitioner's eligibility in Ramavarappadu village, if the land is vacant. This exercise may be completed within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition, with the above observations and directions, is accordingly disposed of at the admission stage.

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(**V.V.S. RAO, J.)**

19th September, 2005

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